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CARL R. RAMEY  
(202) 429-3388

FACSIMILE  
(202) 429-7049

May 22, 1997

William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W., Room 222  
Washington, D.C. 20554

RECEIVED

MAY 22 1997

RECEIVED

**Re: Possible Ex Parte Filing  
in MM Docket No. 87-268**

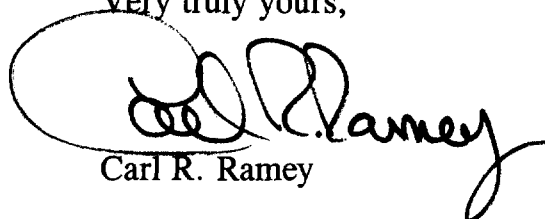
Dear Mr. Caton:

The attached letter and attachments were filed today with the Commission's Office of Engineering and Technology by undersigned counsel for Young Broadcasting of Sioux Falls, Inc., licensee of Television Station KELO-TV, Sioux Falls, South Dakota. The filing highlighted a factual error in the Commission's Sixth Report and Order in MM Docket No. 87-268 and supplied documents obtained from FCC records demonstrating that error.

To the extent this filing is deemed an ex parte presentation, two copies of the subject submission are transmitted herewith.

If there are any questions concerning this matter, kindly communicate with the undersigned.

Very truly yours,

  
Carl R. Ramey

Attachment

WILEY, REIN & FIELDING  
WASHINGTON, D.C. 20006

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MAY 22 1997

Federal Communications Commission  
Washington, D.C.

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CARL R. RAMEY  
(202) 429-3388

May 22, 1997

Bruce Franca, Deputy Chief  
Office of Engineering and Technology  
Federal Communications Commission  
2000 M Street, N.W., Suite 480  
Washington, D.C. 20554

**BY HAND**

Re: **KELO-TV, Sioux Falls, South Dakota**  
**MM Docket No. 87-268**

Dear Mr. Franca:

I spoke to you recently on behalf of Young Broadcasting of Sioux Falls, Inc., licensee of Television Station KELO-TV, Sioux Falls, South Dakota. You may recall the issue I raised concerned the fact that the Commission, in assigning DTV Channel 32 to KELO-TV in the Sixth Report and Order ("Sixth Report"), did so based on the station's auxiliary facilities, not its authorized main station facilities. Indeed, the geographical coordinates listed in Table 2 of the Sixth Report for Channel 32 match precisely the geographical coordinates for KELO's recently modified auxiliary antenna, not its main antenna.

The error appears to stem from the fact that KELO, under a former licensee, filed an application on May 31, 1995 seeking to modify its licensed auxiliary facility (BPCT-950531RE). That application was filed by Midcontinent Television of South Dakota, Inc., a copy of which is attached hereto. As you will note, that application, clearly labeled as a relocation or modification of the station's auxiliary transmitter and antenna, is based on the following geographical coordinates and HAAT (which are identical to the specifications used in Tables 1 and 2 of the Sixth Report for assigning a DTV channel, location, height and power to KELO):

Bruce Franca, Deputy Chief  
May 22, 1997  
Page 2

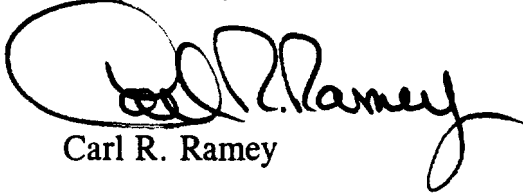
N. Latitude	43° 30' 11"
W. Longitude	96° 34' 38"
HAAT	192 meters

After the foregoing modification application was granted and Young Broadcasting of Sioux Falls, Inc. completed its acquisition of KELO, an application was filed on September 6, 1996 to license the modified auxiliary antenna. A copy of that application on FCC Form 302, which remains pending, is also attached for your convenience.

As Commission records will reflect, KELO's main antenna has, since 1966, been co-located on a tower it shares with Television Station KSFY-TV in Sioux Falls. In fact, KELO and KSFY share the same antenna at that site. As a result, the currently authorized Antenna HAAT for both stations is 2000 feet. See BPCT-3821 granted October 2, 1966 (KELO-TV) and BPCT-3802 granted September 12, 1996 (KSFY-TV).

If we can provide any further information to assist the Commission in correcting this factual error, we will be happy to do so.

Very truly yours,



Carl R. Ramey

Attachments

cc: William F. Caton (two copies)  
MM Docket No. 87-268

## **ATTACHMENT A**

RETURN COPY

LAW OFFICES  
LEVENTHAL, SENTER & LERMAN  
SUITE 600  
2000 K STREET, N.W.  
WASHINGTON, D.C. 20006-1809  
FCC/MELLON MAY 31 1995

NORMAN P. LEVENTHAL  
MEREDITH S. SENTER, JR.  
STEVEN ALMAN LERMAN  
RAUL R. RODRIGUEZ  
DENNIS P. CORBETT  
BRIAN M. MADDEN  
BARBARA K. GARDNER  
STEPHEN D. BARUCH  
SALLY A. BUCKMAN  
NANCY L. WOLF  
DAVID S. KEIR  
DEBORAH R. COLEMAN  
BERNARD A. SOLNIK\*\*  
NANCY A. ORY  
WALTER P. JACOB  
LINDA D. FELDMANN  
RENÉE L. ROLAND\*

TELEPHONE  
(202) 429-8970

TELECOPIER  
(202) 293-7783

SENIOR COMMUNICATIONS  
CONSULTANT  
MORTON I. HAMBURG

May 31, 1995

Midcontinent  
KELO-TV  
# 1-35

\*ADMITTED MD ONLY  
\*\*ADMITTED NY & CT ONLY

BY R&S COURIERS

Federal Communications Commission  
Mass Media Services  
P.O. Box 358165  
Pittsburgh, PA 15251-5165

Dear Sir or Madam:

Transmitted herewith, on behalf of Midcontinent Television of South Dakota, Inc., licensee of Television Station KELO-TV, Sioux Falls, South Dakota, is an application, in triplicate and on FCC Form 301, requesting a minor modification in the form of relocated auxiliary transmitter facilities.

Also enclosed is a check payable to the FCC in the amount of \$650 to cover the required filing fee.

Should any questions arise regarding this application, kindly communicate with this office.

Very truly yours,

*Nancy L. Wolf*  
Nancy L. Wolf



NLW:sak  
Enclosure

KELO-LAND TELEVISION  
 501 S PHILLIPS AVE  
 SICUX FALLS SD 57102

DATE	INVOICE NUMBER	INVOICE AMOUNT	BALANCE	MEMO OR DESCRIPTION
5/17/95	051795	650.00	650.00	FEDERAL COMMUNICATIONS

REMITTANCE VOUCHER

DETACH BEFORE DEPOSITING CHECK

 <b>Midcontinent Media</b>		KELO-LAND TELEVISION 501 S PHILLIPS AVE SICUX FALLS SD 57102		NORWEST BANK LEWISTOWN, N.A. <small>93-516 929</small>	
DATE: 5/18/95	442457	EXACTLY****650 DOLLARS AND 00 CENTS		\$****650.00	
MEMO					
PAY TO THE ORDER OF		FEDERAL COMMUNICATIONS COMMISSION WASHINGTON DC 20554			
		AUTHORIZED SIGNATURE  AUTHORIZED SIGNATURE 1200			

⑈442457⑈ ⑆092905168⑆ 00⑈377⑈0⑈

APPLICATION FOR CONSTRUCTION PERMIT  
FOR COMMERCIAL BROADCAST STATION

FCC  
FCC  
USE  
ONLY

FOR COMMISSION USE ONLY

FILE NO.

Section 1 - GENERAL INFORMATION

1. APPLICANT NAME

Midcontinent Television of South Dakota, Inc.

MAILING ADDRESS (Line 1) (Maximum 35 characters)

c/o Leventhal, Senter & Lerman

MAILING ADDRESS (Line 2) (If required) (Maximum 35 characters)

Suite 600, 2000 K Street, NW

CITY	Washington, DC	STATE OR COUNTRY (If foreign address)	ZIP CODE
			20006
TELEPHONE NUMBER (Include area code)	202-429-8970	CALL LETTERS	OTHER FCC IDENTIFIER (IF APPLICABLE)
		KELO-TV	

FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION 1 - GENERAL INFORMATION 3.

2. A. Is a fee submitted with this application?

☒ Yes ☐ No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112) and go to Question 3.

☐ Governmental Entity

☐ Noncommercial educational licensee

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) the result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

(A)	(B)	(C)	FOR FCC USE ONLY
FEE TYPE CODE	FEE MULTIPLE (If required)	FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	
(1) M P T	0 0 0 1	\$ 650.00	

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY
(2)	0 0 0 1	\$	

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION
\$ 650.00

FOR FCC USE ONLY

3. This application is for: (check one box)

☐ AM

☐ FM

☒ TV

(b) Channel No. or Frequency

Channel 11

(b) Principal  
Community

City

Sioux Falls

State

SD

Section I - GENERAL INFORMATION (Page 2)

(c) Check one of the following boxes

- ☐ Application for NEW station
- ☐ MAJOR change in licensed facilities call sign: \_\_\_\_\_
- ☒ MINOR change in licensed facilities call sign: \_\_\_\_\_ KELO-TV (Relocation  
of Auxiliary  
Transmitter)
- ☐ MAJOR modification of construction permit call sign: \_\_\_\_\_
- File No. of construction permit: \_\_\_\_\_
- ☐ MINOR modification of construction permit call sign: \_\_\_\_\_
- File No. of construction permit: \_\_\_\_\_
- ☐ AMENDMENT to pending application: Application file number: \_\_\_\_\_

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

4. Is this application mutually exclusive with a renewal application?

☐ Yes ☒ No

If Yes, state:

Call letters	Community of License	
	City	State



SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more fulltime employees?

☐ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 898-A).

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3530?

N/A ☐ Yes ☐ No

2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose?

☒ Yes ☐ No

If No, attach as an Exhibit a full explanation.

Exhibit No.  
N/A

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure.

Name of Person Contacted

W. Thomas Simmons (KELO Radio)  
(605) 336-0415

Telephone No. (include area code)

(Site owned by Affiliated Company)

Person contacted: (check one box below)



Owner



Owner's Agent



Other (specify)

4. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862 or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b).

☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.55, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant: Midcontinent Television of South Dakota, Inc.	Signature <i>Mark Hubbick</i>
Date <i>May 26, 1995</i>	Title <i>Executive V.P.</i>

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT  
AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The Commission will use the information provided in this form to determine whether grant of the application is in the public interest. In reaching that determination, or for law enforcement purposes, it may become necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 72 hours 40 minutes to 347 hours 25 minutes with an average of 213 hours 32 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Information Resources Branch, Room 416, Paperwork Reduction Project, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3050-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

Midcontinent Television of South Dakota  
501 South Phillips Street  
Sioux Falls, SD 57102

**APPLICATION FOR AUXILIARY TELEVISION  
TRANSMITTER CONSTRUCTION PERMIT**  
Television Channel 11 25 kw ERP 192 meters HAAT  
Sioux Falls, South Dakota  
May 1995

(c) 1995  
F. W. Hannel, PE  
All Rights Reserved

<b>Section V-C - TV BROADCAST ENGINEERING DATA</b>	<b>FOR COMMISSION USE ONLY</b>	
	File No. _____	
	ASB Referral Date _____	
	Referred by _____	

Name of Applicant.

**Midcontinent Television of South Dakota**

Call Letters(if issued)

Purpose of Application: (check appropriate box(es))

- |  |  |
|--|--|
| <input type="checkbox"/> Construct a new (main) facility<br><input type="checkbox"/> Modify existing construction permit for main facility<br><input type="checkbox"/> Modify licensed main facility | <input type="checkbox"/> Construct a new auxiliary facility<br><input type="checkbox"/> Modify existing construction permit for auxiliary facility<br><input checked="" type="checkbox"/> Modify licensed auxiliary facility |
|--|--|

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

- |   |  |
|---|--|
| <input type="checkbox"/> Antenna supporting-structure height<br><input checked="" type="checkbox"/> Antenna height above average terrain<br><input checked="" type="checkbox"/> Antenna Location<br><input type="checkbox"/> Main Studio Location | <input checked="" type="checkbox"/> Effective radiated power<br><input type="checkbox"/> Frequency<br><input checked="" type="checkbox"/> Antenna system<br><input type="checkbox"/> Other (summarize briefly) |
|---|--|

File Number(s) \_\_\_\_\_

**1. Allocation:**

Channel No.	Offset (Check one) <input type="checkbox"/> Plus <input type="checkbox"/> Minus <input checked="" type="checkbox"/> Zero	Principal community to be served: <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; border: 1px solid black; padding: 5px;">City <b>Sioux Falls</b></td> <td style="width: 33%; border: 1px solid black; padding: 5px;">County <b>Minnehaha</b></td> <td style="width: 33%; border: 1px solid black; padding: 5px;">State <b>SD</b></td> </tr> </table>	City <b>Sioux Falls</b>	County <b>Minnehaha</b>	State <b>SD</b>	Zone (check one) <input type="checkbox"/> I <input checked="" type="checkbox"/> II <input type="checkbox"/> III
City <b>Sioux Falls</b>	County <b>Minnehaha</b>	State <b>SD</b>				

**2. Exact location of antenna.**

(a) Specify address, city, county and state. If no address, specify distance and bearing relative the nearest town or landmark.

**1 mile southwest of Rowena, Minnehaha County, South Dakota**

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	Longitude
<b>43      30      11</b>	<b>96      34      38</b>

3. Is the supporting structure the same as that of another station(s) proposed in another pending application(s)? ☐ yes ☒ no

If Yes, give call letter(s) or file number(s) or both. \_\_\_\_\_

If proposal involves a change in height of an existing structure, specify existing height, above ground level, including antenna, all other appurtenances, and lighting, if any. \_\_\_\_\_

# SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If yes, list old coordinates.

Latitude	Longitude

5. Has the FAA been notified of the proposed construction?

☐ Yes ☒ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.

Date \_\_\_\_\_ Office where filed \_\_\_\_\_

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to the nearest point of the nearest runway.

	Landing Area	Distance (km)	Bearing (degrees True)
(a)	none		
(b)			

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level: 409 Meters

(2) of the top of supporting structure above ground (including antenna, and all other appurtenances, and lighting if any); 213 Meters

(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 622 Meters

(b) Height of radiation center: (to the nearest meter) H-Horizontal V-Vertical

(1) above ground 209 Meters (H)  
- Meters (V)

(2) above mean sea level [(a)(1) + (b)(1)] 618 Meters (H)  
- Meters (V)

(3) above average terrain 192 Meters (H)  
- Meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labeling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.

E-1

9. Maximum visual effective radiated power: 25 kW

SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 3)

10. Antenna:

(a) Manufacturer Andrews (b) Model No. ATW2V150

(c) Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, specify major lobe azimuth(s) \_\_\_\_\_ degrees True and attach as an Exhibit all data specified in 47 C.F.R. Section 73.685.

Exhibit No. \_\_\_\_\_

(d) Is electrical beam tilt proposed?

☐ Yes ☒ No

If Yes, specify \_\_\_\_\_ degrees electrical beam tilt and attach as an Exhibit all data specified in 47 C.F.R. Section 73.685.

Exhibit No. \_\_\_\_\_

(e) Is mechanical beam tilt proposed?

☐ Yes ☒ No

If Yes, specify \_\_\_\_\_ degrees mechanical beam tilt toward Azimuth \_\_\_\_\_ degrees True and attach as an exhibit all data specified in 47 C.F.R. Section 73.685

Exhibit No. \_\_\_\_\_

(f) The proposed antenna is: (check only one box)?

☒ Horizontally polarized

☐ circularity polarized

☐ elliptically polarized

11. Will the proposed facility satisfy the requirements of 47 CFR Sections 73.685(a) and (b).

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive City Grade service

Exhibit No. \_\_\_\_\_

12. Will the main studio be within the stations predicted principal community contour as defined by 47 C.F.R. 73.685?

☒ Yes ☐ No

If No, attach as an Exhibit pursuant to 47 C.F.R. Section 73.1125.

Exhibit No. \_\_\_\_\_

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.610?

☒ Yes ☐ No

If no,, attach as an Exhibit justification therefor, including a summary of any previously granted waiver(s).

Exhibit No. \_\_\_\_\_

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or (b) in the general vicinity, any nonbroadcast (except citizens band or amateur) radio stations or any established commercial or government receiving stations?

☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by intermodulation) to facilities in existence or authorized prior to grant of this application. (See 47 C.F.R. Sections 73.685(d) and (g).)

Exhibit No. \_\_\_\_\_

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the provisions of 47 C.F.R. Section 73.684(g). The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers

Exhibit No. **E-2**

# SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 4)

16. Attach as an Exhibit a map (*Sectional Aeronautical Chart or equivalent*) which shows clearly, legibly and with the original printed latitude and longitude marking and a scale of distance in kilometers:

Exhibit No.  
**E-3**

- (a) the proposed transmitter location, and the radials along which profile graphs have been prepared;
- (b) The City Grade, Grade A and Grade B predicted contours; and
- (c) the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted Grade B contour.

Exhibit No.

Area 13,266 sq. km. Population 168,300

18. For an application involving an auxiliary facility only, attach as an exhibit a map (*Sectional Aeronautical Chart or equivalent*) that shows, clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in Kilometers:

Exhibit No.  
**E-4**

- (a) the proposed auxiliary Grade B contour; and
- (b) the Grade B contour of the licensed main facility for which the applied-for facility will be the auxiliary.

(Main facility license file number \_\_\_\_\_)

19. Terrain and coverage data (to be calculated in accordance with 47 C.F.R. Section 73.684.)

Source of terrain data: (check only one box below)

☒ Linearly interpolated 30-second database (Source: NDGC)

☐ 7.5 minute topographic map

☐ Other (briefly summarize)

Radial Bearing (degrees true)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances		
		To the City Grade Contour (kilometers)	To the Grade A contour (kilometers)	To the Grade B Contour (kilometers)
*				
0	210.1	26.3	35.8	65.8
45	192.4	25.2	34.6	64.5
90	170.9	23.8	33.0	62.2
135	188.7	24.9	34.3	64.2
180	206.1	26.1	35.6	65.5
225	192.6	25.2	34.6	64.5
270	175.2	24.0	33.3	62.7
315	188.1	24.9	34.3	64.1

\*Radial through principal community, if not one of the major radials. This radial should NOT be included in calculation of HAAT.

# SECTION V-C - TV BROADCAST ENGINEERING DATA (Page 5)

20. Environmental Statement .7 (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact?

☐ Yes ☒ No


If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.  
E-5 & E-6

If No, briefly why not.

## CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and have found it to be accurate and true to the best of my knowledge and belief.

Name (typed or printed) <b>F. W. Hannel, PE</b>	Relationship to Applicant (e.g., Consulting Engineer) <b>Consulting Engineer</b>
Signature 	Address (include ZIP Code) <b>911 Edward Street Henry, IL 61537</b>
Date <b>May 10, 1995</b>	Telephone No. (Include Area Code) <b>(309) 364-3903</b>



Midcontinent Television of South Dakota  
501 South Phillips Street  
Sioux Falls, SD 57102

**APPLICATION FOR AUXILIARY TELEVISION  
TRANSMITTER CONSTRUCTION PERMIT**  
Television Channel 11 25 kw ERP 192 meters HAAT  
Sioux Falls, South Dakota  
May 1995

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2. QUALIFICATIONS PAGE
3. ENGINEERING STATEMENT
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5. EXHIBIT E-2 Transmitter Site Map
6. EXHIBIT E-3 Coverage Contours
7. EXHIBIT E-4 Primary and Auxiliary contours
8. EXHIBIT E-5 Environmental Impact Statement
9. EXHIBIT E-6 Radiation Hazard Statement

STATE OF ILLINOIS            )  
                                  )  
COUNTY OF PEORIA            )        SS:

F. W. Hannel, after being duly sworn upon oath,  
deposes and states:

He is a registered Professional Engineer, by  
examination, in the State of Illinois;

He is a graduate Electrical Engineer, holding Bachelor  
of Science and Master of Science degrees, both in Electrical  
Engineering;

His qualifications are a matter of public record and  
have been accepted in prior filings and appearances requiring  
scrutiny of his professional qualifications;

The attached Engineering Report was prepared by him  
personally or under his supervision and direction and;

The facts stated herein are true, correct, and  
complete to the best of his knowledge and belief.

*F W Hannel*

May 10, 1995

---

F. W. Hannel, P.E.

F. W. Hannel, PE  
911 Edward Street  
Henry, Illinois 61537  
(309) 364-3903  
Fax (309) 364-3775

Midcontinent Television of South Dakota  
501 South Phillips Street  
Sioux Falls, SD 57102

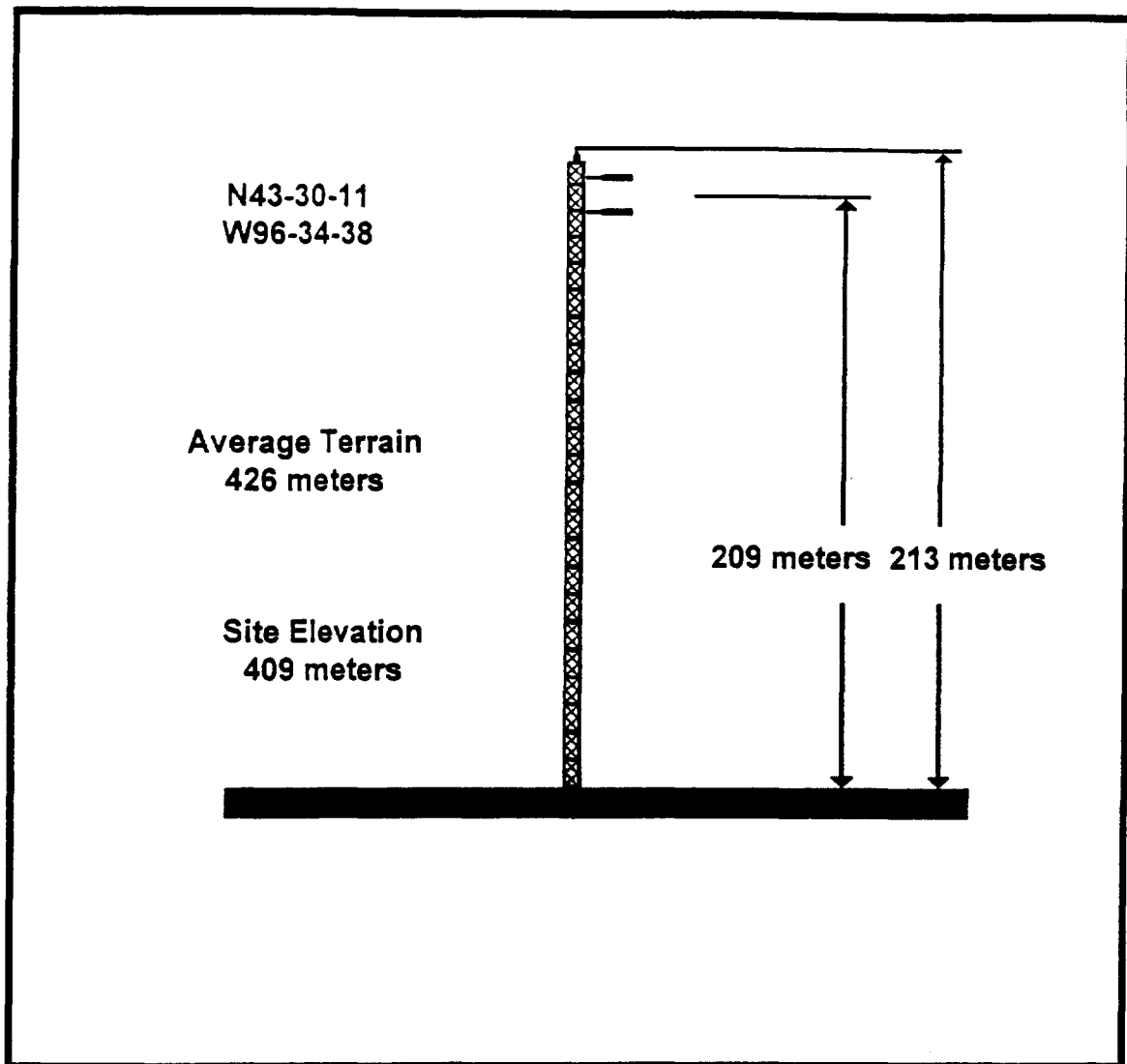
**APPLICATION FOR AUXILIARY TELEVISION  
TRANSMITTER CONSTRUCTION PERMIT**  
Television Channel 11 25 kw ERP 192 meters HAAT  
Sioux Falls, South Dakota  
May 1995

**ENGINEERING STATEMENT**

This firm has been retained by Midcontinent Television of South Dakota to prepare this engineering statement in support of its request to relocate the auxiliary transmitting facilities of Television Station KELO(TV). The proposed facility is to have its antenna mounted on an existing tower located southwest of Rowena, South Dakota. The proposed facility will operate with an effective radiated power of 25 kw at antenna height 192 meters above average terrain utilizing a horizontally polarized omnidirectional antenna, with either mechanical or electrical beam tilt.

The proposed site was carefully evaluated to insure that the mileage separation requirements of the Rules were met and that the proposed site provided full protection to those existing or proposed facilities that are to be protected, as well as to insure the proposed Grade B contour is wholly within the main facilities Grade B contour. All relevant facilities were fully considered, and the site chosen complies with all of the Commission's Rules regarding auxiliary television transmitter sites.

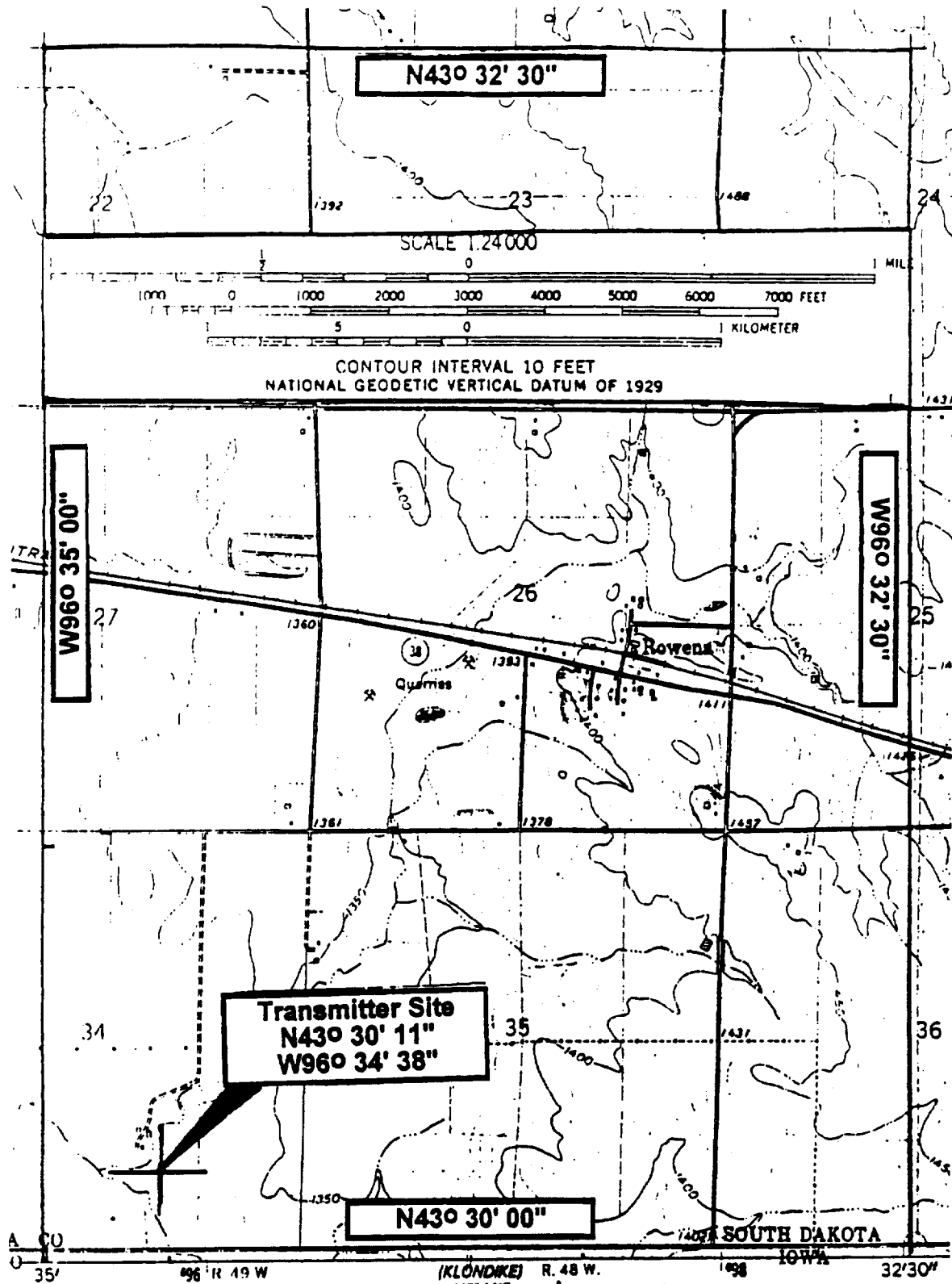
The proposed facility is to be side mounted on an existing tower located southwest of Rowena, South Dakota, in an area that appears to be suitable for the location of the TV antenna. Since the tower is already in existence, no FAA Form 7460-1 has been submitted to that agency.



Midcontinent Television of South Dakota  
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May 1995

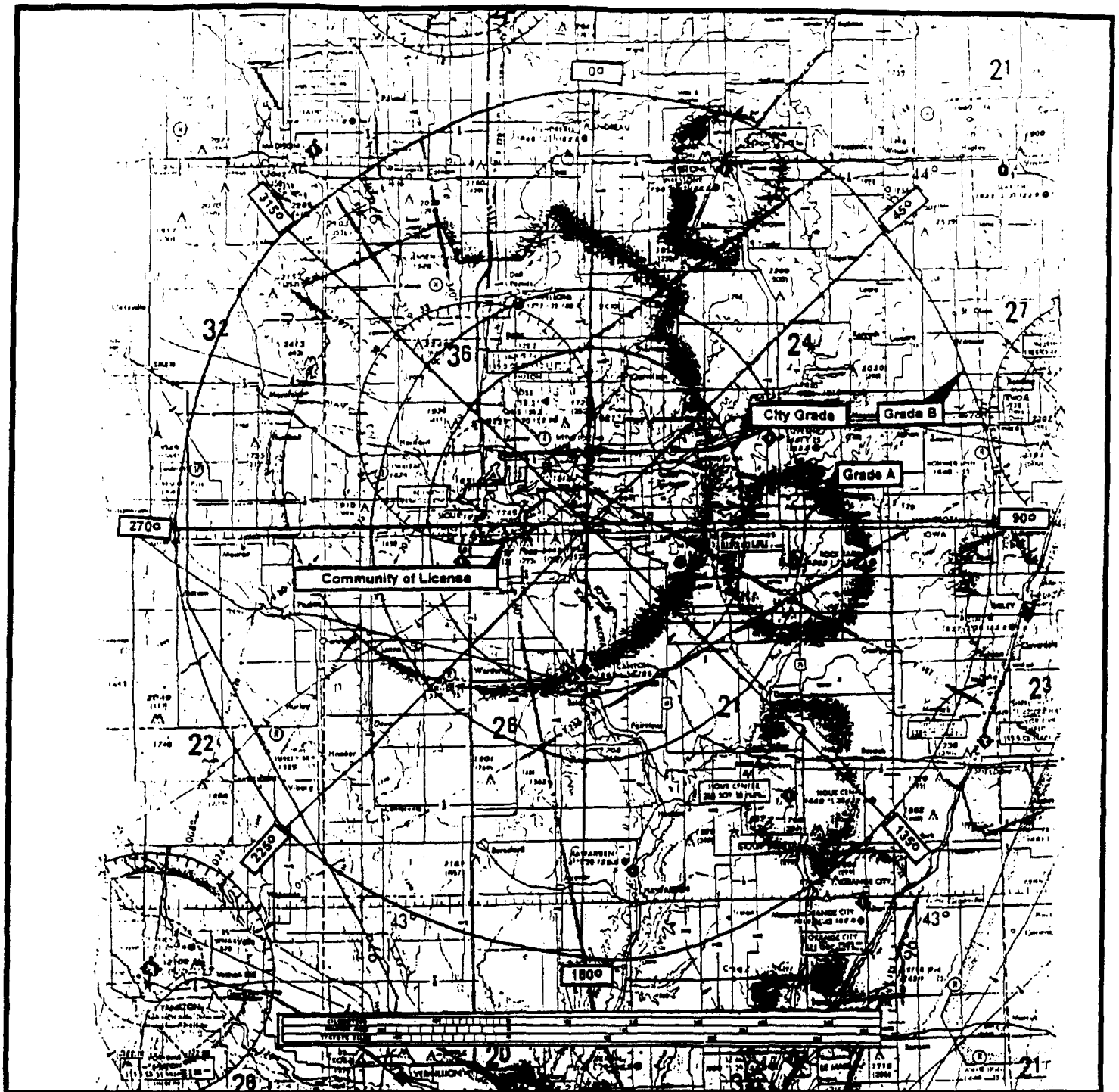
Exhibit E-1  
Tower Diagram



Midcontinent Television of South Dakota  
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 Sioux Falls, SD 57102

**APPLICATION FOR AUXILIARY TELEVISION  
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 Sioux Falls, South Dakota  
 May 1995  
 Exhibit E-2  
 Transmitter Location

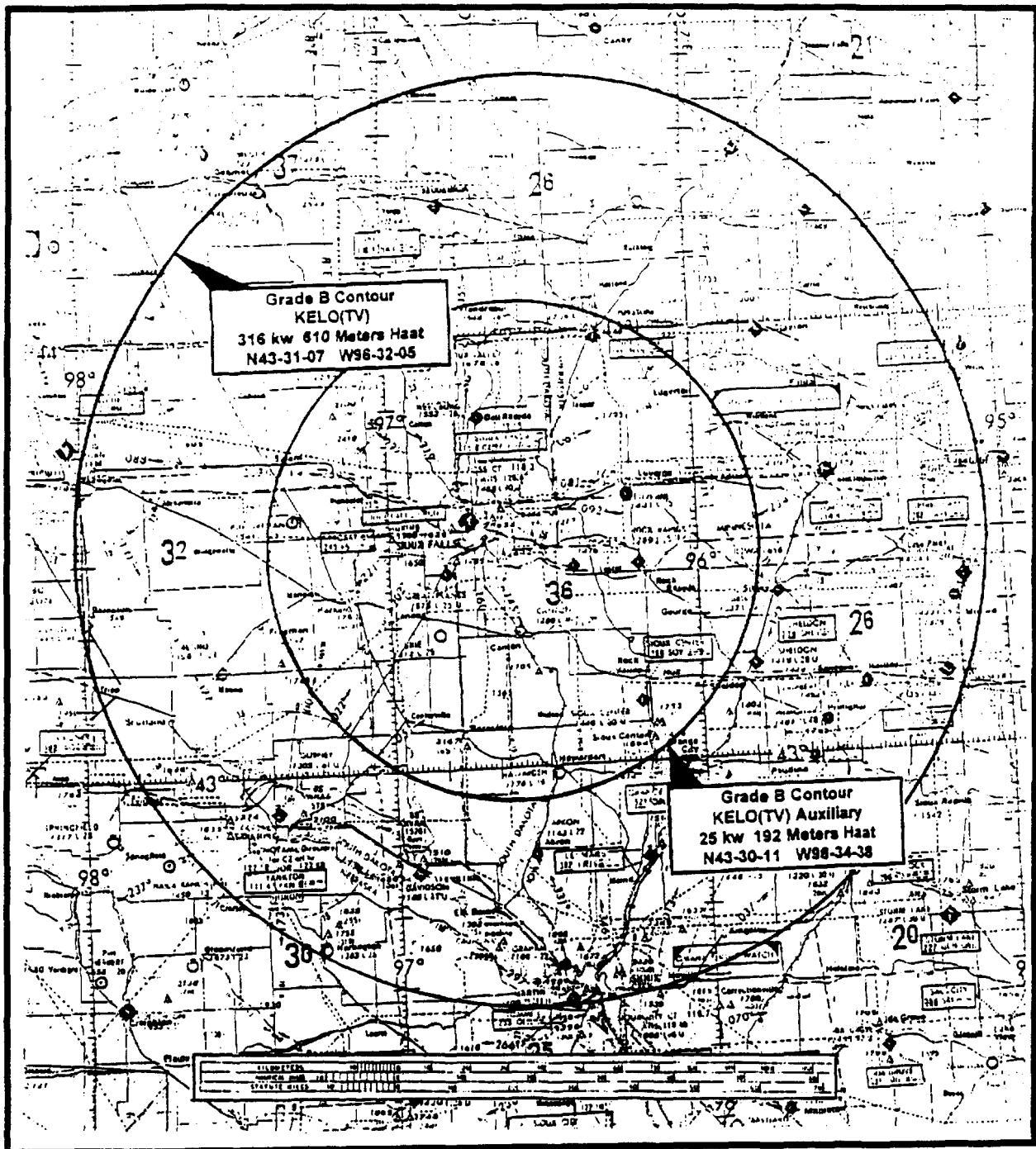




Midcontinent Television of South Dakota  
 501 South Phillips Street  
 Sioux Falls, SD 57102

**APPLICATION FOR AUXILIARY TELEVISION  
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 May 1995

Exhibit E-3  
 Coverage Contours



Midcontinent Television of South Dakota  
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Exhibit E-4  
Licensed and Auxiliary Grade B Contours



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**EXHIBIT E-5  
ENVIRONMENTAL IMPACT STATEMENT**

The construction of this proposed facility by the applicant herein has been reviewed for compliance with Section 1.1311 of the Rules and in that connection, the following facts are submitted for consideration in this application.

1. The proposed facility is not located in an officially designated wilderness preserve.
2. The proposed facility is not located in an officially designated wildlife preserve.
3. The proposed construction will not affect districts, sites, buildings, structures or objects, significant in American history, architecture, archeology or culture, that are listed in the National Register of Historic Places or any that are eligible for listing.
4. The proposed facility is not located in a flood plain.
5. The proposed construction will not involve significant change in surface features.
6. The structure is not to be equipped with high intensity white lights.

In view of the foregoing, it must be concluded that the proposed construction would not be a major environmental action as defined by the Rules, and, therefore, an environmental impact statement is not required.